

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

LUIS CABRERA

a/k/a Luis Alcantara

a/k/a Luis Cabreia

a/k/a Hector Rivera

a/k/a Hector Rivers

CRIMINAL NO.: 04-10159-NG

ASSENTED TO MOTION TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, moves, pursuant to 18 U.S.C. §3161(h)(1)(F) and (h)(8)(A), to exclude the period of time commencing on December 12, 2005 and ending on May 10, 2005. As grounds therefor, the Government states that on December 12, 2005 the defendant moved for a pre-plea presentence report, and that report has not yet been completed. It is scheduled to be completed on May 10, 2005.

Defendant CABRERA, by and through his attorney Lawrence Novack, assents to this motion.

WHEREFORE, the parties respectfully request, under 18 U.S.C. §3161(h)(1)(F) and (h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the above period in computing the time within which trial must commence under 18 U.S.C. §3161.

Respectfully Submitted,

MICHAEL J. SULLIVAN
United States Attorney
By:

/s/ Seth P. Berman
SETH P. BERMAN
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March 24, 2006